

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

CR 07-240-05 MJD/FLN

Plaintiff,

v.

O R D E R

Michael Richard Berry,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated December 28, 2007, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Defendant's motions to suppress and to dismiss [##112, 113, 114, 119] are DENIED.

DATED: January 16, 2008.  
at Minneapolis, Minnesota

s/Michael J. Davis  
JUDGE MICHAEL J. DAVIS  
United States District Court